

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 WILLIAM JAY SHEARER,

7 Defendant.

Case No. 2:22-mj-00487-EJY

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

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10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. Defense needs additional time to review the received discovery, as well as
14 review a pending offer from the government with the defendant.

15 2. Additionally, denial of this request for continuance could result in a
16 miscarriage of justice. The additional time requested by this Stipulation is excludable in
17 computing the time within which the trial herein must commence pursuant to the Speedy Trial
18 Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title
19 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

20 This is the first request for a continuance of the bench trial.
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The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

ORDER

DATED this 4th day of November, 2022.

Clayton J. Zouchak
UNITED STATES MAGISTRATE JUDGE